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BEFORE THE ARIZONA CORPORATION COMMISSION

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MIKE GLEASON, Chairman
WILLIAM A. MUNDELL
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2008 MAY -5 A 10: 01

AZ CORP COMMISSION
DOCKET CONTROL

IN THE MATTER OF THE APPLICATION OF
TUCSON ELECTRIC POWER COMPANY FOR
THE ESTABLISHMENT OF JUST AND
REASONABLE RATES AND CHARGES
DESIGNED TO REALIZE A REASONABLE
RATE OF RETURN ON THE FAIR VALUE OF
ITS OPERATIONS THROUGHOUT THE STATE
OF ARIZONA.

DOCKET NO. E-01933A-07-0402

IN THE MATTER OF THE FILING BY TUCSON
ELECTRIC POWER COMPANY TO AMEND
DECISION NO. 62103.

DOCKET NO. E-01933A-05-0650

PROCEDURAL ORDER

BY THE COMMISSION:

By Procedural Order dated October 5, 2007, the Arizona Corporation Commission ("Commission") set the above-captioned matter for hearing to commence on May 12, 2008, and provided a schedule for filing pre-filed testimony.

On April 18, 2008, the Commission's Utilities Division ("Staff") filed a Request for Procedural Order. Staff reported that the parties had engaged in settlement discussions which were making sufficient progress that Staff requested that the April 24, 2008 Surrebuttal filing date be vacated.

By Procedural Order dated April 21, 2008, the Commission suspended the testimony filing schedule in this matter and ordered Staff to file a revised procedural schedule or request a Procedural Conference by April 28, 2008.

On April 23, 2008, Tucson Electric Power Company ("TEP") filed a notice in the Docket that TEP and Staff had reached an agreement in principal on the terms of a settlement, and were engaged in preparing a written agreement.

Arizona Corporation Commission

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1 On April 28, 2008, Staff filed a Request for Procedural Conference for the purpose of
2 discussing a procedural schedule in this matter.

3 On April 30, 2008, Mesquite Power, LLC, Southwestern Power Group II, LLC, Bowie Power
4 Station LLC and Semptra Energy Solutions LLC ("Mesquite et al."), Intervenors in this matter, filed a
5 Response to Staff, stating that their counsel had a conflict on May 12, 2008 due to an appearance
6 before the Arizona Power Plant and Transmission Line Siting Committee, and suggested utilizing
7 May 8, 2008, the date originally scheduled for a pre-hearing conference, to discuss a revised hearing
8 schedule.

9 Because the public received notice that the Commission would take public comment on TEP's
10 application at the beginning of the hearing, the Commission will convene on May 12, 2008 at 10:00
11 a.m. for the purpose of taking public comment. It is uncertain how many members of the public will
12 appear on the 12th and consequently how long it will take to hear public comment. Because parties
13 should have already set aside May 8th for a pre-hearing conference, and there is at least one conflict
14 for the 12th, it is reasonable to utilize the original pre-hearing date as the time to convene a procedural
15 conference to discuss a revised schedule in this matter.

16 IT IS THEREFORE ORDERED that a **Procedural Conference** shall be held on **May 8,**
17 **2008, at 10:00 a.m.,** or as soon thereafter as is practical, at the Commission's Tucson offices, **Room**
18 **222,** 400 West Congress Street, Tucson, Arizona 85701 for the purpose of discussing a revised
19 procedural schedule and hearing date.

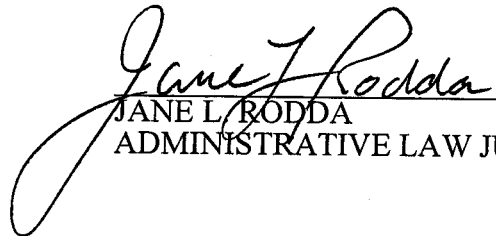
20 IT IS FURTHER ORDERED that parties may appear telephonically at the May 8, 2008
21 Procedural Conference. **The telephonic conference number is (602) 542 -9007.**

22 IT IS FURTHER ORDERED that at the May 8, 2008 Procedural Conference, Parties shall be
23 prepared to propose a schedule for circulating the purported settlement agreement, filing testimony
24 and participating in a hearing.

25 IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113 - Unauthorized
26 Communications) continues to apply to this proceeding and shall remain in effect until the
27 Commission's Decision in this matter is final and non-appealable.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this 1st day of May, 2008.


JANE L. RODDA
ADMINISTRATIVE LAW JUDGE

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